



# GENERAL ASSEMBLY

## COMMONWEALTH OF KENTUCKY

### 2013 REGULAR SESSION

---

HOUSE BILL NO. 261

---

TUESDAY, FEBRUARY 26, 2013

---

The following bill was reported to the Senate from the House and ordered to be printed.

RECEIVED AND FILED  
DATE March 22, 2013  
3:04pm  
ALISON LUNDERGAN GRIMES  
SECRETARY OF STATE  
COMMONWEALTH OF KENTUCKY  
BY R. Allen

1 AN ACT relating to taken wildlife.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 150 IS CREATED TO  
4 READ AS FOLLOWS:

5 (1) As used in this section, "mounted wildlife specimen" means:

6 (a) A legally taken animal, including the skin of the head, cape, or the entire  
7 skin, mounted in a lifelike representation of the animal or any part thereof;

8 or

9 (b) A European mount in which the horns or antlers and the skull or a portion  
10 of the skull are mounted for display.

11 (2) Notwithstanding KRS 150.180 and no later than January 1, 2014, the department  
12 shall promulgate administrative regulations to allow any person or entity to sell  
13 or buy mounted wildlife specimens, except as prohibited by federal law.

14 (3) The administrative regulations promulgated under this section shall establish a  
15 means by which each transaction for the sale of mounted wildlife specimens for  
16 white-tailed deer, elk, bears, turkeys, and bobcats shall be recorded by the  
17 department. The department shall make the recording of each transaction as  
18 reasonably convenient for all parties to the transaction as possible, which may  
19 include but not be limited to allowing telephone and Internet recording of sales.

20 (4) Mounted wildlife specimens purchased from or sold to a licensed taxidermist  
21 under KRS 150.4111 shall be exempt from the requirements of this section.

22 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 150 IS CREATED TO  
23 READ AS FOLLOWS:

24 (1) As used in this section, "gross score" means the Boone and Crockett score  
25 derived by calculating the measurements of the antlers of a white-tailed deer or  
26 elk in accordance with subsection (2) of this section.

27 (2) The gross score of an antlered white-tailed deer or elk shall be calculated in

1 accordance with the Boone and Crockett Club's "Measuring and Scoring North  
2 American Big Game Trophies, Third Edition, 2009" and shall be taken by an  
3 official Boone and Crockett Club scorer. Measurements taken for the purpose of  
4 calculating the gross score may be taken at any time, with no drying time being  
5 required.

6 (3) A person found guilty of a violation of the provisions of this chapter regarding  
7 the taking, buying, selling, transporting, or possessing of an antlered white-tailed  
8 deer with a gross score of more than one hundred twenty-five (125) inches shall  
9 pay to the department an additional restitution value calculated by squaring the  
10 difference between the gross score and one hundred (100) and multiplying the  
11 resulting number by one dollar and sixty-five cents (\$1.65).

12 (4) A person found guilty of a violation of the provisions of this chapter regarding  
13 the taking, buying, selling, transporting, or possessing of an antlered elk with a  
14 gross score of more than two hundred eighty (280) inches shall pay to the  
15 department an additional restitution value calculated by squaring the difference  
16 between the gross score and two hundred fifty-five (255) and multiplying the  
17 resulting number by one dollar and sixty-five cents (\$1.65).

18 (5) A person found guilty of a violation of the provisions of this chapter regarding  
19 the taking, buying, selling, transporting, or possessing of a bear shall pay to the  
20 department an additional restitution value of one thousand dollars (\$1,000).

21 (6) A person found guilty of a violation of the provisions of this chapter regarding  
22 the taking, buying, selling, transporting, or possessing of a turkey shall pay to the  
23 department an additional restitution value of five hundred dollars (\$500).

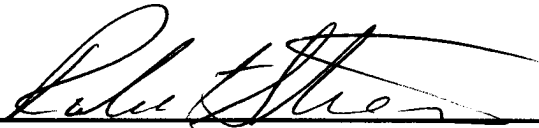
24 (7) A person found guilty of a violation of the provisions of this chapter regarding  
25 the taking, buying, selling, transporting, or possessing of a bobcat shall pay to the  
26 department an additional restitution value of five hundred dollars (\$500).

27 (8) The commissioner or designee may bring a civil action to recover the restitution

1     value owed to the department under subsections (3), (4), (5), (6), or (7) of this  
2     section. A person who owes restitution to the department under subsections (3),  
3     (4), (5), (6), or (7) of this section shall forfeit his or her hunting license or, if  
4     license-exempt, the privilege to perform the hunting acts authorized by the license  
5     until the restitution owed has been paid.

6     (9) The restitution required by this section shall be in addition to all other restitution,  
7     replacement costs, and civil or criminal penalties authorized by this chapter and  
8     the administrative regulations promulgated hereunder.

  
\_\_\_\_\_  
Speaker-House of Representatives

  
\_\_\_\_\_  
President of Senate

Attest:   
\_\_\_\_\_  
Chief Clerk of House of Representatives

Approved   
\_\_\_\_\_  
Governor

Date 3-22-13